

Application No.:10/050,201

INTERVIEW SUMMARY

A telephonic interview was held on November 2, 2005 at approximately 10:15 am between Ex. Truc Chuong, Michael Murphy (Applicant) and Duane Basch, the undersigned attorney of record in the instant application. No exhibit was provided or demonstration was conducted, although Applicant had submitted a brief outline of items for discussion in advance of the interview.

The claims discussed during the interview were primarily independent claims 1 and 9, although the limitations of example dependent claim 13 were discussed relative to overcoming the art relied upon for the rejection (Kubota). Applicant urged that independent claims 1 and 9 were not anticipated by Kubota (5,956,021) as Kubota did not teach the changing or scrolling of characters in the display window for a display time before a subsequent set of characters is displayed. Ex, Chuong inquired as to where such features were illustrated and Applicant referred initially to the figures, including FIG. 1 which illustrated the scrolling of characters through windows 100_n for user selection via buttons or the like. Applicants noted that Kubota required a stylus to change the characters or display whereas the present invention contemplates automatic scrolling.

Ex. Chuong indicated that claims 1 and 9 lacked specific details relative to scrolling, but indicated that he believed detail similar to that depicted in dependent claim 13 was sufficient to overcome the rejection over Kubota. Applicant was encouraged to submit a response with amendments incorporating limitations relative to scrolling in the independent claims, although no agreement was reached relative to specific claim language or allowable claims.

Inquiry was also made relative to any objections or rejections of the drawings. The Examiner indicated that the drawing quality was of a concern, but noted that no specific indication had been set forth in an office action. Ex. Chuong stated that he would provide further detail as to required drawing requirements in a subsequent action and that changes may be held in abeyance until allowable subject matter is indicated.

The interview was completed at approx. 10:40 am.

Application No.:10/050,201

REMARKS

The Office Action of July 1, 2005 has been carefully considered. Reconsideration of this application, as amended, is respectfully requested.

Applicant submits, as part of the Request for Continued Examination, this amendment and the following remarks traversing the rejection. Claims 1 and 9 have been amended to specifically recite scrolling (step, means respectively, and claim 13 has been amended to delete the redundant information contained therein. Support for the current amendments is found not only in claim 13, but also in the specification of the published application ¶¶ [0035], [0042] – [0043], and [0045] as well as in FIGS. 1 – 3.

With the addition of the display time, the character selection method/apparatus of the present invention can be thought of as a two-dimensional matrix with physical position of each display window as a variable on one axis and time as a variable on the other axis. The spatial aspect of the invention introduces the idea of dividing the large collection of characters into character groups recognizable to the user and displaying each character of each character group in a defined user recognizable sequence.

With respect to the substantive examination, claims 1 – 20 were rejected under 35 U.S.C. §102(a) as being anticipated by Kubota et al. (5,956,021) in the Final Office Action of July 1, 2005.

The disclosure of Kubota and the unanticipated elements of independent claims 1 and 9 may be briefly summarized as follows:

Kubota is directed to an input device for inputting information by touching keys displayed on a screen with a pen. In particular, the method and device are directed to input with “a lesser number of vertical pen movements...” (col. 2, lines 27-28). Described is a method where “[k]ey input is determined not by the moment the pen is put on the tablet but by the pen-dragging action on the tablet.” (col. 3, lines 1-2). And, when a “pen keeps pressing the key for a given time period, the key display successively changes to related keys.” (col. 3, lines 44-45).

An inherent problem with the Kubota system and method is that a user must first select only a “representative key for each group of related keys...” (col. 4, line 1), yet

Application No.:10/050,201

"[e]ven though the pen keeps pressing the key for a given time period, unless a given pen operation is carried out by the operator, the displayed key does not change to another key." (col. 4, lines 8 – 11). This is a critical distinction as the operator must make various "selections" (pen pressing, change of pen pressure, and strokes while the pen is depressed) in order to display related keys. Moreover, the related keys seem to be displayed only if/when the pen remains pressed – a time in which the operator's view is obstructed by the pen!

On the other hand, Independent claims 1 and 9, as amended, specifically recite the use of a display time to automatically scroll the display of characters available for selection by a user. Characters within specific groups are displayed as a character set across multiple windows and are then changed upon expiration of a display time.

Claim 1, for example, recites the steps of defining character groups where each character group is displayed in a display window on a time variable basis, successively displaying the characters of each character group in each respective display window for a display time, whereby a character set is simultaneously displayed to the user in the respective plurality of display windows, and detecting the selection by the user, of a character displayed in a display window during the display time.

Not only does Kubota fail to disclose or suggest a display time for displaying characters scrolled through the display, where the characters are available for selection regardless of an operator's pen position, but Kubota also fails to teach the recited distinction of character groups and character sets (groups being those characters sequentially displayed in a particular window, whereas a set is all characters displayed in a plurality of windows for selection at a particular time; see e.g., ¶ [0048]). It is the use of groups and sets of characters that permit the claimed method and system to rapidly and efficiently present all characters in a collection for selection by the user.

In light of the above-noted distinctions, Kubota clearly fails to anticipate the recited elements directed to both the use of a timed, scrolling display of characters for selection as well as the respective distinction of characters within display sets or characters grouped for display within one particular display window of a plurality of windows (successively displaying/scrolling characters in each respective display window where a character set is simultaneously displayed to the user in the

Application No.:10/050,201


respective plurality of display windows). Hence, claims 1 and 9 are not anticipated by Kubota and Applicant respectfully requests that an acknowledgement of the allowance of claims 1 and 9 be provided in a subsequent communication.

Insofar as claims 2 – 8 and 10 - 20, inclusive, are concerned, these claims all depend from now presumably allowable claims 1 or 9 and are also believed to be in allowable condition for the reasons hereinbefore discussed with regard to claims 1 and 9.

In view of the foregoing remarks and amendments, reconsideration of this application and allowance of claims 1 – 20 thereof are earnestly solicited. In the event that additional fees are required as a result of this response, including fees for extensions of time, such fees should be charged to USPTO Deposit Account No. 50-2737 for Basch & Nickerson LLP.

In the event the Examiner considers personal contact advantageous to the timely disposition of this case, the Examiner is hereby authorized to call Applicant's attorney, Duane C. Basch, at Telephone Number (585) 899-3970, Penfield, New York.

Respectfully submitted,



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